

# HOUSE BILL 1138

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CF SB 538

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By: **Delegate Davis**

Introduced and read first time: February 17, 2010

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Residential Multiple Occupancy Buildings and Shopping Centers – Master**  
3 **Meters**

4 FOR the purpose of authorizing the Public Service Commission to authorize the use of  
5 a certain master meter in certain residential multiple occupancy buildings and  
6 shopping centers without requiring individual metering or submetering under  
7 certain circumstances; authorizing the Commission to review certain  
8 information before authorizing the use of a master meter; authorizing an  
9 electric company or a gas company to inspect and test certain master meters in  
10 accordance with a certain provision of law; providing for a certain exception;  
11 defining certain terms; and generally relating to metering for electricity and  
12 natural gas in residential multiple occupancy buildings and shopping centers.

13 BY repealing and reenacting, with amendments,  
14 Article – Public Utility Companies  
15 Section 7–301  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2009 Supplement)

18 BY adding to  
19 Article – Public Utility Companies  
20 Section 7–304.1  
21 Annotated Code of Maryland  
22 (2008 Replacement Volume and 2009 Supplement)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Public Utility Companies**

4 7–301.

5 (a) A person may not furnish or put in use for revenue billing purposes a gas  
6 meter or electric meter unless the Commission has authorized the meter's use.

7 (b) (1) Each gas company and electric company shall maintain suitable  
8 equipment, approved by the Commission, for testing the accuracy of a gas meter or  
9 electric meter furnished by the company for use by its customers.

10 (2) The gas company or electric company shall test a customer's meter  
11 with the equipment in accordance with § 7–302 of this subtitle.

12 (3) A small rural electric cooperative described in § 7–502(a) of this  
13 title may satisfy this section by demonstrating that the electric meters which it  
14 furnishes to customers comply with the standards of the utility regulatory body of the  
15 state in which the cooperative has its principal place of business.

16 (c) (1) This subsection applies to:

17 (i) a new residential multiple occupancy building;

18 (ii) a new shopping center; or

19 (iii) a new housing unit that is constructed, managed, operated,  
20 developed, or subsidized by a local housing authority established under Division II of  
21 the Housing and Community Development Article.

22 (2) The service restrictions imposed under this subsection do not apply  
23 to central hot water.

24 (3) **[The] EXCEPT AS PROVIDED IN § 7–304.1 OF THIS SUBTITLE,**  
25 **THE** Commission may not authorize a gas company or electric company to service an  
26 occupancy unit or shopping center unit subject to this subsection unless the building  
27 or shopping center has individual metered service or submetering as provided under §  
28 7–303 or § 7–304 of this subtitle for each individually leased or owned occupancy unit  
29 or shopping center unit.

30 (4) In accordance with its regulations, the Commission may authorize  
31 a gas company or electric company to provide service for central heating or cooling  
32 systems, or a combination of those systems, to an occupancy unit or shopping center  
33 unit subject to this subsection if the Commission is satisfied that the service will result  
34 in a substantial net saving of energy over the energy saving that would result from

1 individual metering or submetering as provided under § 7-303 or § 7-304 of this  
2 subtitle.

3 (d) The owner, operator, or manager of a residential multiple occupancy  
4 building or shopping center subject to this section may not impose a utility cost on an  
5 occupancy unit or shopping center unit, except for charges that:

6 (1) the Commission authorizes the gas company or electric company to  
7 impose; and

8 (2) the gas company or electric company actually imposes on the  
9 owner, operator, or manager.

10 **7-304.1.**

11 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
12 MEANINGS INDICATED.

13 (2) "MASTER METER" MEANS A METER USED TO MEASURE, FOR  
14 BILLING PURPOSES, THE TOTAL AMOUNT OF ELECTRICITY OR NATURAL GAS  
15 USED IN A BUILDING, INCLUDING THE COMBINED USE FROM ALL INDIVIDUALLY  
16 LEASED OR OWNED UNITS AND ALL COMMON AREAS.

17 (3) "SHOPPING CENTER" HAS THE MEANING STATED IN § 7-303  
18 OF THIS SUBTITLE.

19 (B) THE COMMISSION MAY AUTHORIZE THE USE OF A MASTER METER  
20 IN A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING OR SHOPPING CENTER  
21 WITHOUT REQUIRING INDIVIDUAL METERING OR SUBMETERING AS PROVIDED  
22 UNDER § 7-303 OR § 7-304 OF THIS SUBTITLE IF:

23 (1) THE UTILITY BILL FOR EACH INDIVIDUALLY LEASED OR  
24 OWNED OCCUPANCY UNIT OR SHOPPING CENTER UNIT IS INCLUDED IN THE  
25 RENT OR MONTHLY FEE OR ASSESSMENT FOR THAT UNIT; AND

26 (2) THE COMMISSION IS SATISFIED THAT THE USE OF THE  
27 MASTER METER WILL RESULT IN A NET SAVINGS OF ENERGY OVER THE ENERGY  
28 SAVINGS THAT WOULD RESULT FROM INDIVIDUAL METERING OR SUBMETERING.

29 (C) BEFORE AUTHORIZING THE USE OF A MASTER METER, THE  
30 COMMISSION MAY REVIEW THE PROPOSED ALLOCATION OF UTILITY EXPENSES  
31 AMONG INDIVIDUAL UNITS AND COMMON AREAS SERVED BY THE MASTER  
32 METER.

1           **(D) IN ACCORDANCE WITH § 7-301 OF THIS SUBTITLE, AN ELECTRIC**  
2 **COMPANY OR A GAS COMPANY MAY INSPECT AND TEST A MASTER METER**  
3 **AUTHORIZED FOR USE BY THE COMMISSION UNDER THIS SECTION.**

4           **(E) THIS SECTION DOES NOT APPLY TO ELECTRICITY SUPPLIED IN THE**  
5 **SERVICE TERRITORY OF AN ELECTRIC COOPERATIVE.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.